

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

CHRISTIAN J. SMITH

PETITIONER

v.

CIVIL ACTION NO. 3:23-cv-143-TSL-MTP

COLLETTE PETERS

RESPONDENT

ORDER

This cause is before the court on the report and recommendation of Magistrate Judge Michael T. Parker entered on November 27 2023, recommending that respondent Collette Peters' motion to dismiss be granted and Smith's § 2241 petition be dismissed for lack of jurisdiction. Petitioner Christian J. Smith has not filed an objection and the time for doing so has expired. Having reviewed the report and recommendation, the court concludes that the report and recommendation is well taken and hereby adopts, as its own opinion, the magistrate judge's report and recommendation.

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate Judge Michael T. Parker entered on November 27, 2023, be, and the same is hereby, adopted as the opinion of this court. Accordingly, it is ordered that the motion to dismiss is granted. It follows that the petition is dismissed for lack of jurisdiction.

A separate judgment will be entered in accordance with Rule

58 of the Federal Rules of Civil Procedure.

SO ORDERED this 27<sup>th</sup> day of December, 2023.

/s/ Tom S. Lee

UNITED STATES DISTRICT JUDGE